IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

DENIAU et al.

Examiner:

unknown

Serial No.:

unknown

Group Art Unit:

unknown

Filed:

31 December 2003

Docket No.:

11123.79US01

Title:

DRUM FOR AN EXCAVATOR THAT CAN BE USED IN PARTICULAR FOR THE PRODUCTION OF VERTICAL TRENCHES IN HARD OF

VERY HARD SOILS

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV347836911US

Date of Deposit: December 31, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Teresa Anderson

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

Applicant hereby brings attention to the Examiner that all of the references listed except EP 1 231 327 were cited in a French Search Report dated 1 September 2003. A copy of the Search Report is enclosed.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

English abstracts are provided for DE 39 33 168 and EP 1 231 327.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332-5300

Dated: 31 December 2003

John J. Gresens

Reg. No. 33,112

JJG:hjm

23552

PATENT TRADEMARK OFFICE

Date Mailed: 31 December 2003 Sheet 1 of 1

FORM	1449*
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INFORMATION DISCLOSURE STATEMENT

Docket Number: 11123.79US01

Application Number:

unknown

IN AN APPLICATION
(Use several sheets if necessary)

Applicant: DENIAU et al.

DENIAU et al.

Filing Date: 31 December

Group Art Unit: unknown

		U.S.	PATENT DOCUMEN	TS			
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS		G DATE COPRIATE
	5 924 222	20 July 1999	STOETZER				
	5 295 735	22 March 1994	COBBS et al.				
	4 371 210	1 Feb. 1983	LEIBEE				
	3 545 811	8 Dec. 1970	MONTACLE				
	4 548 442	22 Oct. 1985	SUGDEN et al.				
	<u> </u>						
		FOREIC	L GN PATENT DOCUM	ENTS	<u>. </u>		
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	DE 39 33 168	19 April 1990	Germany			abstract	
	FR 1 445 627	20 Oct. 1966	France			1	х
	FR 1 545 629	15 Nov. 1968	France				х
	EP 1 231 327	14 Aug. 2002	EPO	4		abstract	
	OTHER	DOCUMENTS (In	cluding Author, Title, I	Date, Pertinent I	Pages, Etc.)		
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EXAMINER	DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.